

23 April 1975

MEMORANDUM FOR: Mrs. Jeanne W. Davis
Staff Secretary, NSC

SUBJECT : FOI Appeal for the Declassification of
all NSCID: Issued Since 1948

Enclosed is the Working Paper on Mr. Morton Halperin's
FOI appeal you requested we return to your office for disposition.
The DCI's views concerning the several options suggested for
responding to Mr. Halperin's appeal were forwarded to you by
our General Counsel on 18 April.

B. C. Evans
Executive Secretary

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Enclosure:

O/ES/DBE:sfc

Distribution:

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MEMORANDUM FOR: Ben Evans

Executive Secretary, CIA

Ben,

Attached for your records is a copy of Mr. Warner's reply to Mrs. Davis which went out on Friday, 18 April. Also attached is Mrs. Davis' transmittal to you which, you will note, asked for the return to her office of her Working Paper. Her address is Room 374, Old Executive Office Building, Washington, D. C. 20506

Associate General Counsel

21 April 1975
(DATE)

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18 April 1975

Mrs. Jeanne W. Davis
Staff Secretary
National Security Council
Washington, D.C. 20506

Dear Mrs. Davis:

This is in response to your memorandum of 15 April requesting Mr. Colby's views concerning the several options suggested for responding to Mr. Halperin's appeal to the National Security Council of the Council's action which denied to Mr. Halperin all NSCIDs issued since 1948.

Upon review, the Director believes that several of the NSCIDs, such as 1, 3, and possibly 2, could be declassified. As to the remainder, he is of the opinion that they should remain classified.

All of the directives are classified at one or the other of the three levels of national security information covered by Executive Order 11652. While the rescinded or obsolete directives are not as sensitive as are the current ones, the similarity between rescinded directives and the newer ones is such that the careful analytical reviewer of such documents could reach informed conclusions on the intelligence function and apparatus and methods of this Government. We believe the directives which I have indicated should remain classified should be withheld on the basis of exemption (b)(1) (classified national security information) of the amended Freedom of Information Act. In addition, such directives are instructions to various Government agencies to engage in intelligence activities of various kinds and they assign responsibilities to different agencies. As such, they are a broad description of the intelligence methods of this Government. In accordance with the statutory responsibility of the Director to protect intelligence sources and methods, he therefore recommends that the indicated documents be denied to the requester under the authority of exemption (b)(3) of the Freedom of Information Act (matters specifically exempted from disclosure by statute).

Sincerely,

[Redacted Signature]

John S. Warner
General Counsel

cc: AD/DCI/IC

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EXECUTIVE SECRETARIAT

Routing Slip

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5	DDI				
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7	DDO				
8	D/DCI/IC				
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11	LC				
12	IG				
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Remarks:

Per our conversation this date -

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